

Sprint

October 1, 2010

VIA HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW,
Room TW-A325
Washington, DC 20554

FILED/ACCEPTED

OCT - 1 2010

Federal Communications Commission
Office of the Secretary

Re: **CC Docket No. 96-45**
NPCR, Inc. and Nextel Partners of Upstate New York, Inc. Verified
Filing in Compliance with 47 C.F.R. § 54.209

Dear Ms. Dortch:

NPCR, Inc. and Nextel Partners of Upstate New York, Inc. (collectively "NPCR") hereby submits the original and four (4) copies of the following information required in accordance with the Commission's Report and Order issued March 17, 2005,¹ and Section 54.209 of the Commission's Rules (47 C.F.R. § 54.209):

PUBLIC VERSION

- NPCR, Inc. and Nextel Partners of Upstate New York, Inc.'s Verified Filing in Compliance with 47 C.F.R. § 54.209 (Public Copy – For Public Inspection)
 - Exhibit 1 – Service Improvement Plan Progress Reports
 - Appendix 1 – Progress Report for 2009 (Redacted)
 - Appendix 2 – Service Improvement Plans for 2010-2012 (Redacted)
 - Appendix 3 – Progress Report Service Improvement Plan Maps (Redacted)
 - Exhibit 2 – Network Outages (Redacted)
 - Exhibit 3 – Complaints per 1000 Handsets

¹ *In the Matter of Federal-State Joint Board on Universal Service*, 20 FCC Red 6371 (2005).

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CONFIDENTIAL VERSION (In separate marked envelope)

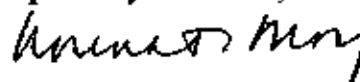
- Request for Confidential Treatment of NPCR, Inc. and Nextel Partners of Upstate New York, Inc.
- NPCR, Inc. and Nextel Partners of Upstate New York, Inc.'s Verified Filing in Compliance with 47 C.F.R. § 54.209
 - Exhibit 1 – Service Improvement Plan Progress Reports
 - Confidential Materials
 - Appendix 1 – Progress Report for 2009
 - Appendix 2 – Service Improvement Plans for 2010-2012
 - Appendix 3 – Progress Report Service Improvement Plan Maps
 - Exhibit 2 – Network Outages
 - Exhibit 3 – Complaints per 1000 Handsets

These filings are submitted for the study areas listed below:

State	SPIN	Study Area Code	Study Area Name
AL	143019623	259007	NPCR, Inc.
FL	143019623	219001	NPCR, Inc.
GA	143019623	229001	NPCR, Inc.
NY	143019623	159007	NPCR, Inc.
PA	143019623	179004	NPCR, Inc.
TN	143019623	299002	NPCR, Inc.
VA	143019623	199003	NPCR, Inc.

If you have any questions, please contact me at (703) 433-4503.

Respectfully submitted,



Norina T. Moy
Director, Government Affairs

Enclosures

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Federal-State Joint Board on
Universal Service

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)

CC Docket No. 96-45

**VERIFIED FILING OF NPCR, INC. AND NEXTEL PARTNERS OF UPSTATE NEW
YORK, INC. IN COMPLIANCE WITH 47 C.F.R. § 54.209**

October 1, 2010

Charles W. McKee
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EXHIBITS

Exhibit 1 –NPCR's Service Improvement Plan Progress Reports

Confidential Appendix 1 – NPCR's Progress Report for 2009

Confidential Appendix 2 – NPCR's Service Improvement Plans for 2010-2012

Confidential Appendix 3 – NPCR's Service Improvement Plan Progress Report Maps

Confidential Exhibit 2 – NPCR's Network Outages

Exhibit 3 – NPCR's Complaints Per 1000 Handsets or Lines

I. INTRODUCTION

NPCR, Inc. and Nextel Partners of Upstate New York, Inc. (collectively "NPCR" or the "Company") submit this Verified Filing in accordance with the Federal Communications Commission's ("Commission") *Report and Order* issued March 17, 2005,¹ and Section 54.209 of its Rules (47 C.F.R. § 54.209).

II. BACKGROUND

NPCR, Inc. was designated as a competitive eligible telecommunications carrier ("ETC") by the Commission for portions of Alabama, Florida, Georgia, Pennsylvania, Tennessee and Virginia, and Nextel Partners of Upstate New York, Inc. was designated as a competitive ETC by the Commission for portions of New York by Order dated August 25, 2004 ("*NPCR Designation Order*").² The services areas for which the Company is designated as a competitive ETC are referred to as NPCR's "Designated Areas."

In June 2006, Nextel Partners, Inc. ("Nextel Partners") and its subsidiaries, including NPCR, Inc. and Nextel Partners of Upstate New York, Inc., were acquired by Sprint Nextel Corporation ("Sprint Nextel"). NPCR is now a wholly owned subsidiary of Sprint Nextel. This filing relates only to NPCR's operations and provision of iDEN service within its Designated Areas. NPCR's provision of service as a competitive ETC pursuant to the *NPCR Designation Order* has been limited to its iDEN operations, and it has received universal service support only for customers served by the operating entities that provide service using iDEN technology. As a

¹ *In the Matter of Federal-State Joint Board on Universal Service*, 20 FCC Rcd 6371 (2005).

² *In the Matter of Federal-State Joint Board on Universal Service, NPCR, Inc. d/b/a Nextel Partners, Petition for Designation as an Eligible Telecommunications Carrier*, 19 FCC Rcd 16530 (2004), corrected by Erratum (Sept. 13, 2004).

result, this filing relates only to NPCR's iDEN network in its Designated Areas. Sprint Nextel is filing a separate Verified Statement with regard to its operations within its designated areas.

In 2005, the Commission issued the *March 17 Order* in which it adopted new ETC designation standards and annual reporting requirements as set forth in Section 54.209 of its Rules. NPCR addresses below each of the filing requirements in Commission Rule 54.209. Much of the requested information is included in Attachments to this Verified Filing, a number of which have been filed under seal with a Request for Confidential Treatment.

III. NPCR's ANNUAL REPORT IN ACCORDANCE WITH SECTION 54.209(a)

Commission Rule 54.209(a) requires a common carrier previously designated by the Commission as an ETC to file certain additional information annually. NPCR respectfully submits the following information in satisfaction of the Commission's annual reporting requirement.

A. NPCR's Service Improvement Plan Progress Reports

Rule 54.209(a)(i) requires an ETC to provide:

A progress report on its five-year service quality improvement plan, including maps detailing its progress towards meeting its plan targets, an explanation of how much universal service support was received and how it was used to improve signal quality, coverage, or capacity, and an explanation regarding any network improvement targets that have not been fulfilled. The information shall be submitted at the wire center level.

47 C.F.R. § 54.209(a)(1).

Pursuant to Section 54.209(a)(1) of the Commission's Rules, NPCR submits its Service Improvement Plan Progress Reports that describe with specificity how much universal service support was received and how it was used to improve and maintain signal quality, coverage, or capacity, and an explanation regarding any network improvement targets that have not been fulfilled. This information is submitted at the wire center level. The Company's Service

to be constructed has not been finally determined and will be revised over time, and forces beyond the Company's control (for example, zoning issues related to cell site placement) may result in modifications to planned projects or timelines. As a result, the content and timing of the projects in the revised Service Improvement Plans are subject to change.

Confidential Appendix 3 to Exhibit 1 contains maps that show signal coverage in the Designated Areas following network improvements in 2009, and projected network improvements for 2010.

B. NPCR's Network Outages In Designated Areas

Rule 54.209(a)(2) requires an ETC to make an annual filing of outages within its Designated Areas. The Rule requires reports of:

detailed information on any outage, as that term is defined in 47 C.F.R. § 4.5, of at least 30 minutes in duration for each service area in which an eligible telecommunications carrier is designated for any facilities it owns, operates, leases, or otherwise utilizes that potentially affect (a) at least ten percent of the end users served in a designated service area; or (b) a 911 special facility, as defined in 47 C.F.R. § 4.5(e). Specifically, the eligible telecommunications carrier's annual report must include information detailing: (a) the date and time of onset of the outage; (b) a brief description of the outage and its resolution; (c) the particular services affected; (d) the geographic areas affected by the outage; (e) steps taken to prevent a similar situation in the future; and (f) the number of customers affected.

Rule 54.209(a)(2) does not establish the time period to be covered by a report of network outages. NPCR has adopted July 1 through June 30 as an appropriate time period for purposes of meeting an October 1 deadline. **Confidential Exhibit 2** contains the information called for under 47 C.F.R. § 54.209(n)(2).⁴

⁴ Rule 54.209(a)(2) does not define what "designated service area" is for the purpose of determining whether an outage potentially affects 10% of the subscribers in a "designated service area." NPCR used the total number of lines filed with USAC for each State designated area. Because of the mobile nature of its service, the Company cannot know for certain how many of its subscribers are affected (or potentially affected) by a multi-site outage, and so has

Improvement Plan Progress Report for 2009 for jurisdictions in which it has been designated as an ETC by the Commission, and information relating to its Service Improvement Plans for 2010-2012 are described in Confidential Appendices 1 through 3 to Exhibit 1. Confidential Appendix 1 to Exhibit 1 includes the amount of universal service funding received in 2009, and details the improvements made in the areas of signal quality, coverage and capacity with those funds.

Confidential Appendix 2 to Exhibit 1 contains revised projections regarding anticipated support and how that support will be used for the years 2010-2012.³ These revisions for 2010-2012 demonstrate how signal quality, coverage or capacity will continue to be improved and maintained due to the Company's receipt of federal high-cost universal service support; the projected start date and completion date for each project; the estimated amount of investment for each project that is funded by high-cost support; the specific geographic areas associated with each project; and the estimated population that will be served as a result of the projects. NPCR's Service Improvement Plans are based on the Company's evaluation of many factors, such as current consumer demand, competitive forces, and available capital. As these factors change, the Service Improvement Plans may be modified. In addition, the order in which these facilities are

³ Pursuant to an order released in WT Docket No. 08-94 (*Sprint Nextel Corporation and Clearwire Corporation*, 23 FCC Rcd 17570, 17612 (paras. 107-8) (2008)), Sprint Nextel/NPCR is obliged to phase out its pursuit of federal universal service high cost support over a five-year period unless specifically supported by an actual cost analysis or unless the Commission adopts a different transition mechanism or a successor mechanism to the current equal support rule. Sprint Nextel/NPCR is providing projections only through 2012 because its high-cost USF support is scheduled to fall to zero by 2013 (see *In the Matter of High Cost Universal Service Support; Federal-State Joint Board on Universal Service; Request for Review of Decision of Universal Service Administrator by Corr Wireless Communications, LLC, Order and Notice of Proposed Rulemaking* released September 3, 2010 (FCC 10-155), para. 16). The 2010 forecasted receipts are based on annualized year-to-date 2010 figures. The 2011 and 2012 projections do not reflect possible relinquishments of Sprint Nextel/NPCR's ETC designations in various states.

C. NPCR's Unfulfilled Requests For Service

Rule 54.209(a)(3) requires an ETC to make an annual report of the number of requests for service from potential customers within the ETC's designated service areas that were unfulfilled during the past year. The filing must also detail how it attempted to provide service to those potential customers as set forth in Commission Rule 54.202(a)(1)(i). Rule 54.209(a)(3) does not establish the time period to be covered by a report of unfulfilled requests for service. NPCR has adopted July 1 through June 30 as an appropriate time period for purposes of meeting an October 1 deadline. NPCR has no unfulfilled requests for service to report for this time period.

D. NPCR's Complaints Per 1,000 Handsets Or Lines

Commission Rule 54.209(a)(4) requires an ETC to annually report the number of complaints per 1,000 handsets or lines. Rule 54.209(a)(4) does not establish the time period to be covered by a report of complaints received. NPCR has adopted July 1 through June 30 as an appropriate time period for purposes of meeting an October 1 deadline. Exhibit 3 identifies the number of complaints per 1,000 handsets for its Designated Areas that NPCR received from the Commission, a state commission, a state Attorney General, or a Better Business Bureau.⁵

estimated this by multiplying the number of sites that were out of service by the number of total subscribers served by high-use sites in the designated area.

⁵ The complaint ratios included in the instant filing reflect total complaints received and total handsets in the state.

E. NPCR's Certification Regarding Compliance With Applicable Service Quality And Consumer Protection Standards

Commission Rule 54.209(a)(5) requires an ETC to certify that it is complying with applicable service quality standards and consumer protection rules. NPCR certifies that it has complied and will continue to comply with the principles set forth therein.

F. NPCR's Certification Regarding Its Ability To Function During Emergency Situations

Commission Rule 54.209(a)(6) requires an ETC to certify that it is able to function in emergency situations in accordance with 47 C.F.R. § 54.202(a)(2). NPCR certifies that it is able and will continue to be able to function in emergency situations in accordance with 47 C.F.R. § 54.202(a)(2).

G. NPCR's Certification Regarding Its Provision Of A Comparable Local Usage Plan

Rule 54.209(a)(7) requires an ETC to certify that it has a local usage plan comparable to the incumbent LEC in the relative service areas. NPCR certifies that it offers and will continue to offer at least one comparable local usage plan as required by Section 54.209(a)(7).

H. NPCR's Certification Regarding The Commission's Authority To Require Equal Access


NPCR hereby certifies that the Commission, pursuant to 47 U.S.C. § 332(c)(8), may require it to provide equal access to long distance carriers in the event that no other ETC is providing equal access within one of its Designated Areas.

IV. CONCLUSION

NPCR appreciates the opportunity to provide this information to the Commission. NPCR will continue to provide high-quality universal services to consumers within its Designated Areas during the 2010 calendar year.

Respectfully submitted,

SPRINT NEXTEL CORPORATION


Charles W. McKee
Norina T. Moy
900 7th St., NW, Suite 700
Washington, DC 20001
(703) 433-4503

October 1, 2010

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Federal-State Joint Board on
Universal Service

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CC Docket No. 96-45

VERIFICATION

The undersigned, Leonard Barlik, does hereby certify as follows:

1. I serve as Vice President Wireless and Wireline Services for Sprint Nextel Corporation and each of its affiliates and subsidiaries, including NPCR, Inc. and Nextel Partners of Upstate New York, Inc.
2. This certification is submitted in support of the Company's Verified Filing in Compliance with 47 C.F.R. § 54.209 ("Verified Filing").
3. I have reviewed the Verified Filing and the facts stated therein are true and correct to the best of my present knowledge, information and belief.
4. NPCR will use all universal service support it receives in 2011 only for the purposes for which that support is intended in accordance with 47 U.S.C. § 254(e).



Subscribed and sworn to before me
this 13 day of September, 2010.


Notary



**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Federal-State Joint Board on
Universal Service

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CC Docket No. 96-45

EXHIBIT 1

**NPCR, INC. AND NEXTEL PARTNERS OF UPSTATE NEW YORK,
INC.'S SERVICE IMPROVEMENT PLAN PROGRESS REPORTS,
AND CONFIDENTIAL APPENDICES 1 THROUGH 3**

I. INTRODUCTION

NPCR, Inc. and Nextel Partners of Upstate New York, Inc. (collectively "NPCR" or the "Company") submit the following Service Improvement Plan Progress Reports pursuant to Section 54.209(a)(1) of the Federal Communications Commission's ("Commission") Rules. NPCR, Inc. was designated as a competitive eligible telecommunications carrier ("ETC") by the Commission for portions of Alabama, Florida, Georgia, Pennsylvania, Tennessee and Virginia, and Nextel Partners of Upstate New York, Inc. was designated as an ETC by the Commission for portions of New York by Order dated August 25, 2004 ("*NPCR Designation Order*").¹

II. PROGRESS REPORT FOR 2009

Confidential Appendices 1(A) through 1(G) contain a progress report for 2009. Pursuant to Section 54.202(a)(1) of the Commission's Rules, the Service Improvement Plan Progress Reports describe with specificity how much universal service support was received and how it was used to improve signal quality, coverage, or capacity, and an explanation regarding any network improvement targets that have not been fulfilled. This information is submitted at the wire center level.

III. PROJECTIONS FOR 2010-2012

Confidential Appendices 2(A) through 2(G) contain revisions to the Service Improvement Plans for the years 2010-2012.² These revisions identify the anticipated support

¹ *In the Matter of Federal-State Joint Board on Universal Service, NPCR, Inc. d/b/a Nextel Partners, Petition for Designation as an Eligible Telecommunications Carrier*, 19 FCC Rcd 16530 (2004), corrected by Erratum (Sept. 13, 2004).

² Pursuant to an order released in WT Docket No. 08-94 (*Sprint Nextel Corporation and Clearwire Corporation*, 23 FCC Rcd 17570, 17612 (paras. 107-8) (2008)), Sprint Nextel/NPCR is obliged to phase out its pursuit of federal universal service high cost support over a five-year period unless specifically supported by an actual cost analysis or unless the Commission adopts a

and describe how that support will be used. The 2010-2012 projections describe the types of facilities or improvements, locations, estimated population covered,¹ and projected budget for each of these expenditures. They demonstrate how signal quality, coverage or capacity will be maintained.

IV. MAPS

Confidential Appendices 3(A) through 3(G) contain maps that show signal coverage in the Designated Areas following network improvements in 2009, and projected network improvements for 2010.

V. PROJECTED HIGH-COST SUPPORT

Pursuant to Section 254(e) of the Act, a carrier eligible to receive federal high-cost universal service support shall use such support “only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.” Consistent with Section 254(e) and Sections 54.313 and 54.314 of the Commission’s Rules, NPCR hereby certifies that all federal high-cost universal service support received will be used only for the

different transition mechanism or a successor mechanism to the current equal support rule. Sprint Nextel/NPCR is providing projections only through 2012 because its high-cost USF support is scheduled to fall to zero by 2013 (*see In the Matter of High Cost Universal Service Support; Federal-State Joint Board on Universal Service; Request for Review of Decision of Universal Service Administrator by Corr Wireless Communications, LLC, Order and Notice of Proposed Rulemaking* released September 3, 2010 (FCC 10-155), para. 16). The 2010 forecasted receipts are based on annualized year-to-date 2010 figures. The 2011 and 2012 projections do not reflect possible relinquishments of Sprint Nextel/NPCR’s ETC designations in various states.

¹ FCC Rule 54.202(a)(1)(ii) does not identify how a company determines the population affected by a network improvement. NPCR has identified the total population within each wire center.

provision, maintenance, and upgrading of facilities and services for which support is intended.
(Certification attached.)

Based on the most recent per-line support projections of the Universal Service Administrative Company ("USAC"), NPCR currently estimates that it will receive federal high-cost universal service support for the provision of universal service within the Company's Designated Areas as follows for 2010:

STATE	PROJECTED ANNUAL HIGH COST SUPPORT
Alabama	\$492,130
Florida	\$807,105
Georgia	\$322,238
New York	\$250,423
Pennsylvania	\$776,451
Tennessee	\$1,905
Virginia	\$59,595

The actual amount of universal service support received by the Company for any given year may vary from this estimate as universal service funding levels and subscribership change over time, and as the cap on high-cost support provided to competitive ETCs is implemented.⁴

⁴ *In the Matter of High-Cost Universal Service Support*, WC Docket No. 05-337, and *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, 23 FCC Rcd 8834 (2008).

VI. NETWORK IMPROVEMENTS AND UPGRADES

NPCR's Service Improvement Plans consist of projects that will improve, upgrade and maintain the Company's network within its Designated Areas. NPCR will use federal high-cost universal service support to assist it in implementing these improvements.

NPCR's Service Improvement Plans include operating expenses associated with sites built since NPCR was designated as an ETC. The projected operating expenses associated with sites in NPCR's Designated Areas substantially exceed anticipated high-cost USF support.

NPCR's Service Improvement Plans do not include network improvements that will affect every wire center in its Designated Areas. This is not because the Company has decided that no improvements are necessary in those areas, but instead is due to the fact that all projected universal service support has been accounted for and allocated to the network improvements that have been identified. Other network improvements are beyond the scope of these Service Improvement Plans.

The selection of projects is based on the Company's evaluation of many factors, such as current consumer demand, competitive forces, and available capital. As these factors change, the Service Improvement Plans may be modified.

Because NPCR operates on an 18-month capital planning cycle for new site construction, it may decide to amend its Service Improvement Plans to substitute some new construction projects in 2011 through 2012. The Company will identify and report on any such amendments in subsequent filings.

VII. ANNUAL PROGRESS REPORT

As required by the Commission, NPCR will file, on or before October 1, 2011, a progress report on its Service Improvement Plans. As noted above, the Company's identification of projects in the Service Improvement Plans has been based on the information available to it

today, and is subject to change over time for many reasons. Projected expenses are estimates, and actual expenses may vary from these estimates. NPCR's October 1, 2011 progress report will reflect amendments, modifications, and adjustments that occur between now and that time.

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Federal-State Joint Board on
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CC Docket No. 96-45

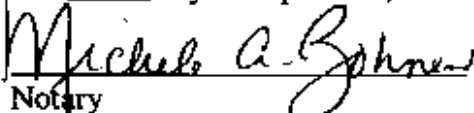
VERIFICATION

The undersigned, Leonard Barlik, does hereby certify as follows:

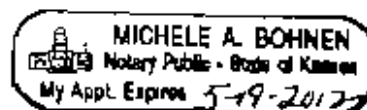
1. I serve as Vice President Wireless and Wireline Services for Sprint Nextel Corporation and each of its affiliates and subsidiaries, including NPCR, Inc. and Nextel Partners of Upstate New York, Inc.
2. This certification is submitted in support of the Company's Verified Filing in Compliance with 47 C.F.R. § 54.209 ("Verified Filing").
3. I have reviewed the Verified Filing and the facts stated therein are true and correct to the best of my present knowledge, information and belief.
4. NPCR will use all universal service support it receives in 2011 only for the purposes for which that support is intended in accordance with 47 U.S.C. § 254(e).



Subscribed and sworn to before me
this 13 day of September, 2010.


Notary

(NOTARY SEAL)



APPENDIX 1

**NPCR'S PROGRESS REPORT FOR 2009
(REDACTED)**

NPCR, Inc.
Alabama Wireless Receipts and Expenditures
Year 4, 2009

ACTUAL RECEIPTS	\$463,798
------------------------	------------------

Description of Expense	Location of Expense			Population Served	Estimated Start Date	Estimated Completion Date	Estimated Budget	Actual Expenditures
	City	State	Wire Center					

REDACTED

NPCR, Inc.
Florida Wireless Receipts and Expenditures
Year 4, 2009

ACTUAL RECEIPTS	\$1,846,898
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Description of Expense	Location of Expense			Population Served	Estimated Start Date	Estimated Completion Date	Estimated Budget	Actual Expenditures
	City	State	Wire Center					

REDACTED

NPCR, Inc.
Georgia Wireless Receipts and Expenditures
Year 4, 2009

ACTUAL RECEIPTS	\$465,527
------------------------	------------------

Description of Expense	Location of Expense			Population Served	Estimated Start Date	Estimated Completion Date	Estimated Budget	Actual Expenditures
	City	State	Wire Center					

REDACTED

NPCR, Inc.
New York Wireless Receipts and Expenditures
Year 4, 2009

ACTUAL RECEIPTS	\$376,715
------------------------	------------------

Description of Expense	Location of Expense			Population Served	Estimated Start Date	Estimated Completion Date	Estimated Budget	Actual Expenditure
	City	State	Wire Center					

REDACTED

NPCR, Inc.
Pennsylvania Wireless Receipts and Expenditures
Year 4, 2009

ACTUAL RECEIPTS	\$1,271,430
------------------------	--------------------

Description of Expense	Location of Expense			Population Served	Estimated Start Date	Estimated Completion Date	Estimated Budget	Actual Expenditures
	City	State	Wire Center					

REDACTED